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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

March 17, 2005

Mr. Stephen Johnson
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Mr. Johnson:

I enjoyed our meeting today. I am glad to hear you are going to do the best you can to deliver to me and other Committee members the information that we have been requesting for quite some time on health and air quality, as expeditiously as possible. That would be a refreshing change from the outcome of the promises made by the two most recent heads of the Agency, since those promises were later broken by the heavy hand of the White House.

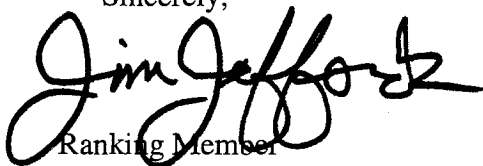
I look forward to working with you as the Agency finally moves forward to do the apples-to-apples comparison of multi-pollutant approaches that Senator Carper and I have requested. As you may know, we have an outstanding request, among many others, for such a comparison using specific parameters dating back at least to November 5, 2003, and I have been seeking a full benefits analysis by the Agency of the Clean Power Act for approximately 4 years. I look forward to working with you and your staff on designing the appropriate and unbiased parameters and conditions of the analyses that the Agency plans to do comparing my bill S.150, the Administration's Clear Skies proposal, the Inhofe-Voinovich bill, and the Carper bill, especially as they relate to the Clean Air Interstate Rule and the Clean Air Mercury Rule.

As you mentioned, the National Academy of Sciences is in the process of completing the study that I and Senator Inhofe initiated in our separate amendments to appropriations bills to answer questions on the human health and environmental value of the New Source Review program. You also noted that that study would be complete by the end of the year. As you may also know, I went this route because EPA could not answer these questions and did not seek to collect the data to answer my questions as was promised, despite major proposals to significantly change NSR or, as in the Administration's multi-pollutant legislation, do away with the program altogether. I consider the results of this study to be central to the structure and success of any multi-pollutant legislation that would amend the NSR provisions of the Clean Air Act.

Finally, I am still awaiting a response, preferably a full and comprehensive one, to my letter of July 22, 2004, to then-EPA Administrator Leavitt (copy attached). Please provide a response prior to April 4, 2005.

Thank you for your many years of service as an employee of the EPA. I am hopeful that you can steer the Agency back into a productive and collaborative working relationship with our Committee when you are confirmed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Jeffords". The signature is stylized with a large, looping "J" and a long, sweeping underline.

Ranking Member
James M. Jeffords